



IAP6 Rec'd PCT/PTO 04 JUN 2007

PATENT  
Customer No. 22,852  
Attorney Docket No. 08940.0038-00000

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
)  
Ernestine LEE et al. ) Group Art Unit: Not Yet Assigned  
)  
Application No.: 10/591,451 ) Examiner: Not Yet Assigned  
)  
Filed: September 1, 2006 )  
)  
) Confirmation No.: 9377  
For: HUMAN cDNA CLONES COMPRISING )  
POLYNUCLEOTIDES AND METHODS )  
OF THEIR USE )

**Mail Stop Missing Parts**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER  
35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

In response to the communication of April 4, 2007, Applicants submit a Declaration, and a copy of the Notice of Missing Parts. Please charge our deposit account for the Declaration surcharge of \$65.00, and \$125.00 for extra page fees.

Please associate the enclosed declaration with the application, grant any extensions of time required to enter this response, and charge any additional required fees to our deposit account 06-0916.

06/06/2007 LLANDGRA 00000010 060916 10591451

01 FC:2617 65.00 DA  
02 FC:2615 125.00 DA

Dated: June 4, 2007

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By: 

Lisa M. Matovcik  
Reg. No. 53,283  
Phone: (202) 408-4000  
Fax: (202) 408-4400  
Email: lee.matovcik@finnegan.com



## UNITED STATES PATENT AND TRADEMARK OFFICE

JBF, LMM

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/591,451	Ernestine Lee	08940.0038

22852  
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER  
LLP  
901 NEW YORK AVENUE, NW  
WASHINGTON, DC 20001-4413

RECEIVED

APR 09 2007

INTERNATIONAL APPLICATION NO.	
PCT/US05/06473	
I.A. FILING DATE	PRIORITY DATE
03/01/2005	03/01/2004

CONFIRMATION NO. 9377  
371 FORMALITIES LETTER



\*OC000000023235322\*

Date Mailed: 04/04/2007

Finnegan, Henderson, Farabow,  
Garrett & Dunner, LLP

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/01/2006
- Copy of the International Search Report filed on 09/01/2006
- Preliminary Amendments filed on 09/01/2006
- Biochemical Sequence Diskette filed on 09/01/2006
- Biochemical Sequence Listing filed on 09/01/2006
- Small Entity Statement filed on 09/01/2006
- U.S. Basic National Fees filed on 09/01/2006
- Priority Documents filed on 09/01/2006
- Specification filed on 09/01/2006
- Claims filed on 09/01/2006
- Abstracts filed on 09/01/2006
- Paper nucleotide sequence listings filed on 09/01/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

Dkt/PON/4-10-E

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$190 for a Small Entity:

- \$65 Surcharge.
- The specification and drawings contain more than 100 pages. Applicant owes \$125 for 21 pages in excess of 100 pages for a small entity in compliance with 37 CFR 1.27.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/591,451	PCT/US05/06473	08940.0038

FORM PCT/DO/EO/905 (371 Formalities Notice)

Docketed 4/10/07 Attorney JB, LMM  
 Case 08940-0038-00000  
 Due Date 6-4-07  
 Action Decl/Dehg/specs/drawings due  
 By PON